

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MONTAE DESHONE LEEPER,

Defendant.

Criminal No. 07-cr-20094-3

Hon. Mark A. Goldsmith
United States District Judge

ORDER TO FILE PROPER MOTION

Following his guilty plea to five counts of distributing cocaine, in violation of 21 U.S.C. § 841(a)(1), and one count of conspiracy to distribute cocaine in violation of 21 U.S.C. §§ 841(a)(1) and 846, the Court sentenced Defendant Montae Deshone Leeper to a term of 120 months imprisonment.

Defendant subsequently sent two pro se letters to the Court requesting certain relief. The letters did not cite any legal authority. The Court, however, directed Defendant to file a proper motion if Defendant still desired the sought relief. 5/27/2010 Order (Dkt. 190). The Court cited Rule 47(a) of the Federal Rules of Criminal Procedure, which requires that “[a] party applying to the court for an order must do so by motion.” The Court also required that any filed motion comply with applicable federal and local court rules. Id. Defendant did not file a motion thereafter.

Approximately three years after the Court’s order, the Court received another pro se letter from Defendant. In the letter, Defendant stated that he was “writing in regards of the recent ruling of retroactivity regarding the crack law for statutory mandatory minimum sentences.”

5/29/13 Letter (Dkt. 211). Defendant asked whether he “qualif[ied] for any relief in this matter,” and, if so, if the Court could “appoint [him] counsel to file a motion on [his] behalf or inform [him] on any information on how [he] may be able to benefit.” Id. The letter did not contain any citations to legal authority.

In light of the Court’s prior order, the Court reiterates that Defendant must file a proper motion — with citation to authority — to the extent he still seeks the relief requested. The Court will not consider pro se letters, rather than proper motions, sent to the Court, and the Court will disregard any such future letters. Defendant must comply with Rule 47(a) of the Federal Rules of Criminal Procedure, as well as any other applicable federal and local court rules, to the extent he seeks relief of any form. Accordingly, the Court directs Defendant to file a proper motion if he still seeks the relief requested in his pro se letter.

SO ORDERED.

Dated: November 26, 2013
Flint, Michigan

s/Mark A. Goldsmith
MARK A. GOLDSMITH
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on November 26, 2013.

s/Deborah J. Goltz
DEBORAH J. GOLTZ
Case Manager